

1 THOMAS E. FRANKOVICH (State Bar No. 074414)  
THOMAS E. FRANKOVICH,  
2 *A Professional Law Corporation*  
2806 Van Ness Avenue  
3 San Francisco, CA 94109  
Telephone: 415/674-8600  
4 Facsimile: 415/674-9900  
Attorneys for Plaintiffs  
5 CRAIG YATES  
and DISABILITY RIGHTS  
6 ENFORCEMENT, EDUCATION,  
SERVICES: HELPING YOU  
7 HELP OTHERS

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA

11 CRAIG YATES, an individual; and  
DISABILITY RIGHTS ENFORCEMENT,  
12 EDUCATION, SERVICES: HELPING  
YOU HELP OTHERS, a California public  
benefit corporation,

13 Plaintiffs,

14 v.

15  
16 KING OF THAI NOODLE #2 INC., a  
California corporation; LAW SZE CHING;  
17 and CHAN WEI YUNG

18 Defendants.

CASE NO. CV-08-1877-WHA

RETURN OF SERVICE RE DEFENDANTS  
KING OF THAI NOODLE #2 INC., a  
California corporation; LAW SZE CHING;  
and CHAN WEI YUNG

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RETURN OF SERVICE RE DEFENDANTS KING OF THAI NOODLE #2 INC., a California corporation; LAW SZE CHING; and  
CHAN WEI YUNG

Attorney or Party without Attorney <b>THOMAS E. FRANKOVICH, Bar #74414</b> <b>THE FRANKOVICH GROUP</b> <b>2806 VAN NESS AVE.</b> <b>SAN FRANCISCO, CA 94109</b> Telephone No <b>415-674-8600</b> FAX No <b>415-674-9900</b>				For Court Use Only	
Attorney for: <b>Plaintiff</b>				Ref. No. or File No.: <b>KING OF THAI NOODLE #2</b>	
Insert name of Court, and Judicial District and Branch Court: <b>United States District Court Northern District Of California</b>					
Plaintiff: <b>CRAIG YATES, et al.</b> Defendant: <b>KING OF THAI NOODLE #2 INC., et al.</b>					
<b>PROOF OF SERVICE</b> <b>SUMMONS &amp; COMPLAINT</b>		Hearing Date:	Time:	Dept/Div:	Case Number: <b>CV 08 1877 WHA</b>

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL CASE COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III, SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP, ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED APRIL 21, 2008.

3 a. Party served: **KING OF THAI NOODLE #2 INC., a California corporation**  
 b. Person served: **SARANYA CHAICHANA, AGENT FOR SERVICE**

4 Address where the party was served: **346 CLEMENT STREET**  
**SAN FRANCISCO, CA 94118**

5. I served the party  
 b. by substituted service. On Fri., Apr 25, 2008 at: 10:30AM by leaving the copies with or in the presence of  
**Y. WHITE, Asian, Female, 35 Years Old, Brown Hair, Brown Eyes, 5 Feet 4**  
**Inches, 135 Pounds**

(1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

6 The "Notice to the Person Served" (on the Summons) was completed as follows:  
 on behalf of: **KING OF THAI NOODLE #2 INC.**  
 Under CCP 416 10 (corporation)

7. Person Who Served Papers:

a. **DOUG SCHROEDER**

Recoverable Cost Per CCP 1033 5(a)(4)(B)

d. The Fee for Service was.

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No. **190**

(iii) County: **Marin**



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Mon, Apr. 28, 2008

Attorney or Party without Attorney: THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California Plaintiff: CRAIG YATES, et al. Defendant: KING OF THAI NOODLE #2 INC., et al.				Ref No or File No KING OF THAI NOODLE #2	
<b>PROOF OF SERVICE</b> <b>By Mail</b>		Hearing Date:	Time:	Dept/Div:	Case Number: CV 08 1877 WHA

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES, CIVIL CASE COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP; ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED APRIL 21, 2008.
3. By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:
 

a. Date of Mailing:	Fri., Apr. 25, 2008
b. Place of Mailing	SAN FRANCISCO, CA 94103
c. Addressed as follows:	KING OF THAI NOODLE #2 INC., a California corporation 346 CLEMENT STREET SAN FRANCISCO, CA 94118
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Fri., Apr. 25, 2008 in the ordinary course of business.
5. Person Serving:
 

a. AARON DANIEL b. FIRST LEGAL SUPPORT SERVICES 1138 HOWARD STREET SAN FRANCISCO, CA 94103 c. 415-626-3111	Recoverable Cost Per CCP 1033 5(a)(4)(B) d. The Fee for Service was e. I am: (3) registered California process server (i) Independent Contractor (ii) Registration No.: 2008-0001044 (iii) County: San Francisco
--	---

8 I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Mon, Apr. 28, 2008

Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No. 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for Plaintiff				Ref. No. or File No.: KING OF THAI NOODLE #2	
Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al. Defendant: KING OF THAI NOODLE #2 INC., et al.					
<b>PROOF OF SERVICE SUMMONS &amp; COMPLAINT</b>		Hearing Date:	Time:	Dept/Div:	Case Number: CV 08 1877 WHA

1. At the time of service I was at least 18 years of age and not a party to this action
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL CASE COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT, SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III, SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP; ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED APRIL 21, 2008

3. a. Party served. LAW SZE CHING

4. Address where the party was served: 1460 HILLCREST BOULEVARD  
MILLBRAE, CA 94030

5. I served the party:

b. by substituted service. On: Mon., May. 05, 2008 at: 6.08AM by leaving the copies with or in the presence of  
ALBERT TRAN, CO-TENANT

(2) (Home) Competent Member of the Household over 18. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached

(5) I attach a declaration of diligence stating actions taken first to attempt personal service.

6. The "Notice to the Person Served" (on the Summons) was completed as follows:

a. as an individual defendant

7. Person Who Served Papers:

a. ELLENOR RIOS

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was.

c. I am: (3) registered California process server

(i) Owner

(ii) Registration No.: 984

(iii) County Santa Clara



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, May. 08, 2008

Attorney or Party without Attorney:

THOMAS E. FRANKOVICH, Bar #74414  
 THE FRANKOVICH GROUP  
 2806 VAN NESS AVE.  
 SAN FRANCISCO, CA 94109

For Court Use Only

Telephone No: 415-674-8600

FAX No: 415-674-9900

Ref. No or File No.:

KING OF THAI NOODLE #2

Insert name of Court, and Judicial District and Branch Court:

United States District Court Northern District Of California

Plaintiff: CRAIG YATES, et al.

Defendant: KING OF THAI NOODLE #2 INC., et al.

**AFFIDAVIT OF  
 REASONABLE DILIGENCE**

Hearing Date:

Time:

Dept/Div:

Case Number:

CV 08 1877 WHA

1. I, ELLENOR RIOS, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant LAW SZE CHING as follows:

2. **Documents:** Summons In A Civil Case Complaint For Injunctive Relief And Damages; Civil Case Cover Sheet; Welcome To The U.S. District Court; Scheduling Order For Cases Asserting Denial Of Right Of Access Under Americans With Disabilities Act Title Iii; Supplemental Order To Order Setting Initial Case Management Conference In Civil Cases Before Judge William Alsup; Ecf Registration Information Handout; Letter Dated April 21, 2008..

Day	Date	Time	Location	Results
Sat	04/26/08	5:04pm	Home	NO ANSWER. NO CARS. Attempt made by: ELLENOR RIOS. Attempt at 1460 HILLCREST BOULEVARD MILLBRAE CA 94030.
Mon	04/28/08	9:57am	Home	NO ANSWER. NO CARS. Attempt made by: ELLENOR RIOS. Attempt at 1460 HILLCREST BOULEVARD MILLBRAE CA 94030
Sat	05/03/08	7:49pm	Home	NO ANSWER. NO LIGHTS. NO ACTIVITY. Attempt made by ELLENOR RIOS. Attempt at 1460 HILLCREST BOULEVARD MILLBRAE CA 94030.
Mon	05/05/08	6:08am	Home	Substituted Service on LAW SZE CHING Home - 1460 HILLCREST BOULEVARD MILLBRAE, CA. 94030 by Serving: PARTY IN ITEM 3 A Competent Member of the Household over 18 by leaving a copy of the document(s) with ALBERT TRAN, CO-TENANT. Served by: ELLENOR RIOS
Thu	05/08/08			Mailed copy of Documents to: LAW SZE CHING

3. *Person Executing*

a ELLENOR RIOS

b. **FIRST LEGAL SUPPORT SERVICES**

1511 BEVERLY BOULEVARD

LOS ANGELES, CA 90026

c. (213) 250-1111, FAX (213) 250-1197

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. *The Fee for service was.*

e I am (3) registered California process server

(i) Employee

(ii) Registration No.: 984

(iii) County Santa Clara

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct



Attorney or Party without Attorney: <b>THOMAS E. FRANKOVICH, Bar #74414</b> <b>THE FRANKOVICH GROUP</b> 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California Plaintiff: CRAIG YATES, et al Defendant: KING OF THAI NOODLE #2 INC, et al				Ref No or File No.: <b>KING OF THAI NOODLE #2</b>	
<b>PROOF OF SERVICE</b> <b>By Mail</b>		Hearing Date	Time	Dept/Div.	Case Number
					CV 08 1877 WHA

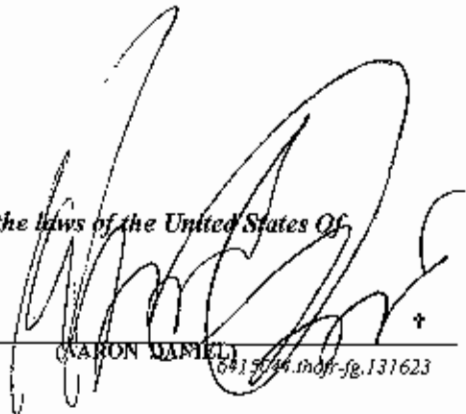
- 1 I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
- 2 I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES, CIVIL CASE COVER SHEET, WELCOME TO THE U.S. DISTRICT COURT; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP; ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED APRIL 21, 2008.
- 3 By placing a true copy of each document in the United States mail in a sealed envelope by **First Class** mail with postage prepaid as follows:
 

a. Date of Mailing	Thu., May. 08, 2008
b. Place of Mailing	SAN FRANCISCO, CA 94103
c. Addressed as follows:	LAW SZE CHING 1460 HILLCREST BOULEVARD MILLBRAE, CA 94030
- 4 I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Thu, May 08, 2008 in the ordinary course of business.
- 5 Person Serving:
 

a AARON DANIEL b FIRST LEGAL SUPPORT SERVICES 1138 HOWARD STREET SAN FRANCISCO, CA 94103 c 415-626-3111	Recoverable Cost Per CCP 1033 5(a)(4)(B) d <b>The Fee for Service was:</b> e I am (3) registered California process server <table border="0" style="margin-left: 20px;"> <tr> <td>(i) Independent Contractor</td> <td></td> </tr> <tr> <td>(ii) Registration No..</td> <td>2008-0001044</td> </tr> <tr> <td>(iii) County</td> <td>San Francisco</td> </tr> </table>	(i) Independent Contractor		(ii) Registration No..	2008-0001044	(iii) County	San Francisco
(i) Independent Contractor							
(ii) Registration No..	2008-0001044						
(iii) County	San Francisco						

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, May. 08, 2008

  
 (AARON DANIEL)  
 6415744.thofr-fg.131623

Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900			For Court Use Only		
Attorney for Plaintiff			Ref. No. or File No KING OF THAI NOODLE #2		
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff CRAIG YATES, et al Defendant KING OF THAI NOODLE #2 INC., et al.					
<b>PROOF OF SERVICE SUMMONS &amp; COMPLAINT</b>		Hearing Date	Time	Dept/Div	Case Number: CV 08 1877 WHA

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE, COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL CASE COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE IN CIVIL CASES BEFORE JUDGE WILLIAM ALSUP, ECF REGISTRATION INFORMATION HANDOUT, LETTER DATED APRIL 21, 2008.

3. a. Party served **CHAN WEI YUNG**

4. Address where the party was served. **1460 HILLCREST BOULEVARD  
MILLBRAE, CA 94030**

5. I served the party.

b by substituted service. On: Mon, May. 05, 2008 at: 6:08AM by leaving the copies with or in the presence of:  
**ALBERT TRAN, CO-TENANT**

(2) (Home) Competent Member of the Household over 18. I informed him or her of the general nature of the papers

(4) A declaration of mailing is attached.

(5) I attach a declaration of diligence stating actions taken first to attempt personal service.

6. The "Notice to the Person Served" (on the Summons) was completed as follows:

a as an individual defendant

7. Person Who Served Papers:

a. ELLENOR RIOS

Recoverable Cost Per CCP 1033.5(a)(4)(B)

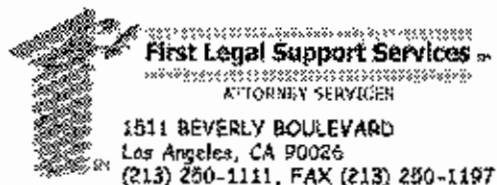
d The Fee for Service was:

e I am: (3) registered California process server

(i) Owner

(ii) Registration No. 984

(iii) County Santa Clara



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, May 08, 2008

Attorney or Party without Attorney: THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109				For Court Use Only	
Telephone No: 415-674-8600		FAX: No 415-674-9900		Ref No or File No KING OF THAI NOODLE #2	
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff: CRAIG YATES, et al					
Defendant: KING OF THAI NOODLE #2 INC., et al					
<b>AFFIDAVIT OF REASONABLE DILIGENCE</b>		Hearing Date:	Time	Dept/Div	Case Number: CV 08 1877 WHA

1. I ELLENOR RIOS, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant CHAN WEI YUNG as follows:

2. **Documents:** Summons In A Civil Case; Complaint For Injunctive Relief And Damages; Civil Case Cover Sheet; Welcome To The U.S. District Court; Scheduling Order For Cases Asserting Denial Of Right Of Access Under Americans With Disabilities Act Title Ii; Supplemental Order To Order Setting Initial Case Management Conference In Civil Cases Before Judge William Alsup; Ecf Registration Information Handout; Letter Dated April 21, 2008..

Day	Date	Time	Location	Results
Sat	04/26/08	5:04pm	Home	NO ANSWER. NO CARS. Attempt made by ELLENOR RIOS. Attempt at 1460 HILLCREST BOULEVARD MILLBRAE CA 94030
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Mon	05/05/08	6:08am	Home	Substituted Service on CHAN WEI YUNG Home - 1460 HILLCREST BOULEVARD MILLBRAE, CA. 94030 by Serving: PARTY IN ITEM 3 A. Competent Member of the Household over 18 by leaving a copy of the document(s) with: ALBERT TRAN, CO-TENANT. Served by ELLENOR RIOS
Thu	05/08/08			Mailed copy of Documents to: CHAN WEI YUNG

3. **Person Executing**

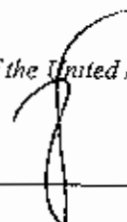
- a. ELLENOR RIOS  
b. **FIRST LEGAL SUPPORT SERVICES**  
1511 BEVERLY BOULEVARD  
LOS ANGELES, CA 90026  
c. (213) 250-1111, FAX (213) 250-1197

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. **The Fee for service was:**

- e. I am: (3) registered California process server  
(i) Employee  
(ii) Registration No 984  
(iii) County: Santa Clara

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct

  
\_\_\_\_\_

Attorney or Party without Attorney THOMAS E FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California Plaintiff: CRAIG YATES, et al. Defendant: KING OF THAI NOODLE #2 INC., et al.				Ref No or File No.: KING OF THAI NOODLE #2	
<b>PROOF OF SERVICE</b> <b>By Mail</b>		Hearing Date:	Time	Dept/Div:	Case Number CV 08 1877 WHA

- 1 I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
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- 3 By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:
 

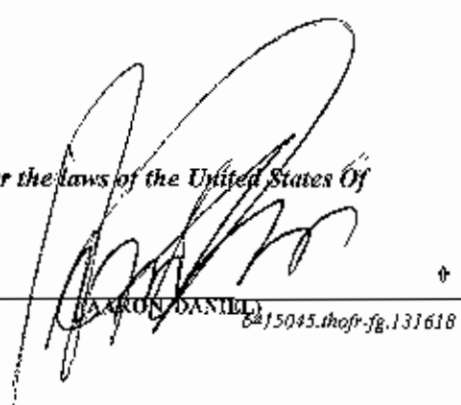
a Date of Mailing. b Place of Mailing. c Addressed as follows.	Thu., May. 08, 2008 SAN FRANCISCO, CA 94103 CHAN WEI YUNG 1460 HILLCREST BOULEVARD MILLBRAE, CA 94030
--	---
- 4 I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Thu., May. 08, 2008 in the ordinary course of business.
5. *Person Serving*

a. AARON DANIEL b. FIRST LEGAL SUPPORT SERVICES 1138 HOWARD STREET SAN FRANCISCO, CA 94103 c. 415-626-3111	d. <i>The Fee for Service was.</i> e I am: (3) registered California process server (i) Independent Contractor (ii) Registration No 2008-0001044 (iii) County. San Francisco
--	--

Recoverable Cost Per CCP 1033.5(a)(4)(B)

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Thu, May. 08, 2008



AARON DANIEL